

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**ROGER KNOX, WINTERCAP SA,  
MICHAEL T. GASTAUER, WB21 US  
INC., SILVERTON SA INC., WB21 NA  
INC., C CAPITAL CORP., WINTERCAP  
SA INC. AND B2 CAP INC.**

**Defendants.**

**RAIMUND GASTAUER, SIMONE  
GASTAUER FOEHR, B21 LTD.,  
SHAMAL INTERNATIONAL FZE, AND  
WB21 DMCC**

**Relief Defendants.**

**1:18-CV-12058-RGS**

**DECLARATION OF NITA KLUNDER**

I, Nita Klunder, pursuant to 28 U.S.C. § 1746, hereby declare that:

1. I am counsel for the Securities & Exchange Commission (the “Commission”). I have been counsel in this action since February 13, 2022 and I am familiar with all the facts and circumstances in this action.

2. On June 9, 2022, the Commission noticed the deposition of Raimund Gastauer (“Gastauer”) to take place on July 12, 2022. A true copy of the Commission’s Notice of Deposition is attached. *See* Exhibit A.

3. On July 1, 2022, the Commission inquired whether Gastauer would require a German interpreter. Counsel for Gastauer responded in the affirmative, and the Commission arranged for an interpreter to be present at his deposition.

4. Between July 5, 2022 and July 14, 2022, the Commission and counsel for Gastauer emailed back and forth regarding Gastauer's deposition. A true copy of those email exchanges is attached. I have redacted certain portions of the email messages that relate to discussions about the parties' attempt to reach a settlement of this matter. *See* Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 26, 2022

/s Nita K. Klunder  
Nita K. Klunder